

Message Text

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ACTION IO-10

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E.O. 11652: N/A

TAGS: PORG, IMCO, UR

SUBJ: IMCO LEGAL COMMITTEE - SOVIET PROPOSAL RE REGIME
OF VESSELS IN FOREIGN PORTS

1. IMCO LEGAL COMMITTEE DISCUSSED ON APRIL 7 FURTHER CONSIDERATION BY IMCO OF USSR'S DRAFT CONVENTION ON REGIME OF VESSELS IN FOREIGN PORTS. SOVIET REP SPOKE OF URGENT NEED FOR MULTILATERAL CONVENTION ON SUBJECT, CITING INADEQUACIES OF CUSTOMARY INTERNATIONAL LAW AND OF EXISTING BILATERAL AND MULTILATERAL CONVENTIONS. HE DID NOT, HOWEVER, PRESS FOR IMMEDIATE CONSIDERATION OF SOVIET DRAFT BY EITHER LEGAL OR FACILITATION COMMITTEES. POLAND AND GDR SUPPORTED USSR'S POSITION.

2. US, FOLLOWED INTER ALIA BY CANADA, JAPAN, NETHERLANDS AND SWEDEN, GENERALLY QUESTIONED NEED FOR MULTILATERAL CONVENTION AS PROPOSED BY USSR AND NOTED IT RAISED MANY DIFFICULT SUBSTANTIVE ISSUES. HOWEVER, ALL AGREED THAT, IF IMCO WAS TO CONSIDER SUBJECT FURTHER, PRIMARY RESPONSIBILITY THEREFORE SHOULD LIE WITH LEGAL COMMITTEE AND NOT FACILITATION COMMITTEE. SOME DELS (E.G., CANADA) CURIOUSLY LINKED SOME ASPECTS OF SOVIET DRAFT TO LOS ISSUES. OTHERS (FRANCE) WORRIED ABOUT POSSIBLE DUPLICATION OF WORK BY UNCTAD, WHERE SIMILAR SOVIET PROPOSAL IS BEFORE SHIPPING COMMITTEE.

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3. COMMITTEE AS A WHOLE WAS UNDERSTANDABLY RELUCTANT TO KILL SOVIET PROPOSAL OUTRIGHT. THUS, AT CLOSE OF DEBATE, COMMITTEE AGREED THAT ITS RECOMMENDATION TO COUNCIL WOULD BE TO EFFECT THAT SUBJECT OF REGIME OF VESSELS IN FOREIGN PORTS COULD BE INCLUDED IN IMCO'S LONG TERM WORK PROGRAM AND THAT ANY FUTURE WORK ON SUBJECT SHOULD BE DONE BY (POST-1976) LEGAL COMMITTEE WITH CONTRIBUTIONS BY FACILITATION COMMITTEE AS NECESSARY. IF COUNCIL AGREES WITH THIS RECOMMENDATION, LEGAL COMMITTEE WOULD CONSIDER SOMETIME IN 1976 HOW AND WHEN SUBJECT COULD BEST BE FIT-

TED IN WITH OTHER ITEMS THEN BEFORE IT. THIS SCHEDULE WOULD PERMIT FURTHER STUDY BY GOVERNMENTS IN LIGHT OF LOS CONFERENCE RESULTS AND POSSIBLE ACTION BY UNCTAD.

4. COMMITTEE'S RECOMMENDATION WILL BE CONTAINED IN REPORT OF THIS SESSION, DRAFT OF WHICH WILL BE AVAILABLE APRIL 11 AT LATEST.

RICHARDSON

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